**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN**

**WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929**

**Con.Case(C).No. 1384 of 2007(S)**

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**AGAINST THE JUDGEMENT IN WPC.12647/2006 Dated 02/06/2006**

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**PETITIONER/1ST PETITIONER:**

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**CHITTETHUKARA DRINKING WATER AND ENVIRONMENT PROTECTION SAMITHI, REP. BY ITS SECRETARY, M.B. SUDAKARAN, S/O. BALAKRISHNAN, AGED 45 YEARS, KANNANKERY HOUSE, KANNAKERY NAGAR ROAD, CHITTETHUKARA, KAKKANAD, ERNAKULAM DISTRICT.**

**BY ADV. SRI.BABU JOSEPH KURUVATHAZHA**
**SRI.K.I.SAGEER**

**RESPONDENTS: 2ND RESPONDENT;**

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**MUHAMMED HANEESH, AGE AND NAME OF THE FATHER ARE NOT KNOWN TO THE PETITIONER, WORKING AS THE DISTRICT COLLECTOR, ERNAKULAM.**

**BY GOVERNMENT PLEADER SMT. SMITHA SUKUMARAN**

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**THOTTATHIL B.RADHAKRISHNAN, J.**

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Cont. Case (C).No.1384 OF 2007

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Dated this the 3rd day of October, 2007

**JUDGMENT**

Heard learned counsel for the petitioner and learned Government Pleader.

2. Learned Government Pleader submits on instructions that the District Collector has heard the parties and directions have been issued to the builder to furnish appropriate plan for a sewage treatment plant to the Thrikkakkara Grama Panchayat. It is submitted that the District Collector is awaiting the approval and views of the Grama Panchayat in that regard, for further action. Therefore, it is obvious that the builder would not be permitted to let the premises to be occupied without completing such process as may be required in terms of the Pollution Control Board.

On the basis of what is stated above, I do not find any ground to invoke provisions of the Contempt of Courts Act against the District Collector. The contempt case is, hence, dismissed.

Sd/-

**THOTTATHIL B.RADHAKRISHNAN,**
**Judge**

kkb.